IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

F.A.O.No.252 of 2004

AGAINST THE ORDER DATED 23/06/2004 IN I.A 268/2001 IN O.S.1/2001 OF THE COURT OF THE ADDITIONAL DISTRICT JUDGE-I, MAVELIKKARA.

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APPELLANT/IST DEFENDANT:-

DEEPAK FOODS (FORMERLY DEEP AGENCIES),
17 UMA TOWERS, P.G.ROAD, SECUNDRABAD 500 003,
REP. BY ITS SOLE PROPREITOR PREM J.RAMRAKHYANI

BY ADV. SRI.K.P.VIJAYAN
SMT.P.F.ROSY
SRI.V.M.SYAM KUMAR
SMT.C.B.SUMA DEVI
SRI.SURESH SAMUEL
SMT.K.S.JINI
SMT.KRIPA ELIZABETH MATHEWS

RESPONDENTS: PLAINTIFF & DEFENDANTS 2 TO 7:-

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1. CANDYSONS FOODS & CO,
   NEAR ALTHARAMOOD, THATTARAMPALAM NORTH,
   MAVELIKKARA 690 103.

2. SANGEETHA FOODS, 17 UMA TOWER,
   P.G.ROAD, SECUNDRABAD.

3. DARSAN FOODS, 202 MEHATA APARTMENT,
   RASOOLPURA, P.G.ROAD, SECUNDERABAD 500 003.A.P.
   (R3 REMOVED FROM THE PARTY ARRAY AS PER THE ORDER
   IN I.A.414/2003).

4. GEETHA ENTERPRISES, 28-12-9. AMATIVARI
   STREET. ARUNDALPETA, VIJAYAWADA 500 003.A.P.

5. CRYSTAL AGENCIES, AMBATIVARI,
   ST.VIJAYAWADA 520 002.A.P.

6. RAJALAKSHMI AGENCIES, ROBINS APARTMENTS,
EAST MUZHIKKAL, CALICUT- 673 571., KERALA.

7. TRINITY CORPROATION, KP/V/170-A,
PANDICHERIAL, KUTTOOR P.O.THIRUVALLA 689 106,
KERALA.

R1 BY ADV. SRI.P.N.KRISHNANKUTTY ACHAN (SR.)
SRI.K.MOHANAKANNAN.

R4 TO R6 BY ADV.SMT.K.P.SHEENA.

THIS FIRST APPEAL FROM ORDERS HAVING BEEN FINALLY HEARD ON 12/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

K.Padmanabhan Nair,J.

F.A.O.No.252 of 2004 & I.A.No.884 of 2007

Dated, this the 12th day of March, 2007

JUDGMENT

When the matter came up for hearing, it is submitted by the counsel for the parties that all the disputes between the appellant/1st defendant and the 1st respondent/plaintiff including the dispute in the above case have been amicably settled out of Court and therefore the appeal has become infructuous. It is prayed that the appellant may be permitted to withdraw the appeal. The appellant has also filed I.A.No.884 of 2007 to that effect.

In the result, I.A.No.884 of 2007 is allowed and the appeal is dismissed as withdrawn without costs. I.A.No.3315 of 2004 also shall stand dismissed.

K.Padmanabhan Nair
Judge

vku/-